

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1237

Introduced by Assembly Member Nestande

February 18, 2011

An act to add Section 66015.15 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1237, as amended, Nestande. Postsecondary education: ~~funding; finance; remedial instruction.~~

Existing law, the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Existing law establishes the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Trustees of the California State University, *and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges*, as ~~2~~ of the 3 public segments of postsecondary education. ~~Provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act, by resolution, to make these provisions applicable.~~ Provisions of the act express legislative intent with respect to the determination of standards and criteria for admission to the University of California and the California State University.

~~This bill would state the intent of the Legislature to enact legislation to prohibit the use of state funds for remedial coursework at the University of California and California State University.~~

Existing provisions of the California Constitution require that a minimum amount of funding be applied for the support of the public school system and community college districts based on a calculation made each fiscal year pursuant one of the 3 specified tests that is applicable to that fiscal year.

This bill would specify that only General Fund moneys meeting that minimum funding requirement may be appropriated for purposes of supporting remedial instruction in coursework required prior to enrollment in coursework offered for college credit by the California State University and the University of California. The bill would authorize the appropriation of specified funds meeting the minimum funding requirement to community college districts for the support of remedial instruction for community college students who are provisionally accepted for admission to the California State University or the University of California. The bill would make related legislative findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 66015.15 is added to the Education Code,*
- 2 *to read:*
- 3 *66015.15. (a) The Legislature finds and declares all of the*
- 4 *following:*
- 5 *(1) High school graduates in this state should be prepared for*
- 6 *coursework that is offered for credit by the California State*
- 7 *University and the University of California.*
- 8 *(2) Only General Fund moneys that count toward meeting the*
- 9 *minimum state funding requirement pursuant to Section 8 of Article*
- 10 *XVI of the California Constitution shall be used to pay for*
- 11 *instruction in secondary education coursework.*
- 12 *(b) General Fund moneys that do not count toward meeting the*
- 13 *minimum state funding requirement pursuant to Section 8 of Article*
- 14 *XVI of the California Constitution shall not be appropriated for*
- 15 *purposes of supporting remedial instruction of college students in*
- 16 *coursework that is required prior to enrollment in coursework*
- 17 *offered for college credit by the California State University or the*
- 18 *University of California.*

1 (c) Notwithstanding any other law, including Sections 41203
2 and 41203.1, funds that may otherwise be appropriated to school
3 districts for instruction of pupils in kindergarten and grades 1 to
4 12, inclusive, may instead be appropriated to community college
5 districts to fund remedial instruction of community college students
6 who are provisionally accepted to the California State University
7 or the University of California, for purposes of completing
8 academic coursework that is required prior to enrollment in
9 coursework offered for college credit.

10 ~~SECTION 1. It is the intent of the Legislature to enact~~
11 ~~legislation to prohibit the use of state funds for remedial~~
12 ~~coursework at the University of California and California State~~
13 ~~University.~~